

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 3, 5, 7, 9, and 12-15 are presently active in this case; Claims 1 and 14 amended by way of this amendment.

In the outstanding Office Action, Claims 1, 3, 5, 7, -9 and 12-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over "MPEG-4: An Object-based Multimedia Coding Standard supporting Mobile Applications" by Puri et al. in view of "Error Correction and Concealment for Video Communication: A Review" by Wang et al. and further in view of "Adaptive Use of Error-Correcting Codes for Real-time Communication in Wireless Networks" by Elaoud et al.

First, Applicants wish to thank Examiner Ferris for the October 8, 2003, personal interview, at which time the outstanding issues in this case were discussed. During the interview, Applicants presented amendments and arguments substantially as indicated in this response. While no agreement was reached, Examiner Ferris did not look unfavorably upon the proposed amendments presented, and indicated that he would give further consideration to the amendment upon filing of a formal response.

Turning now the merits, in order to expedite issuance of a patent in this case, Applicants have amended Claims 1 and 14 to clarify the patentable features of the present invention over the cited references. Specifically, Applicants' independent Claims 1 and 14 recite a communications node and packet transfer method including dividing a packet to be transmitted into segments to form a plurality of packet segments, and selecting an error

correction scheme from among a plurality of error correction schemes to be employed for each of the packet segments in accordance with error resistance of each of the packet segments, *the error resistance being determined at least by the content of each packet segment*. Also recited is carrying out an error correction process on each packet segment with the selected error correction scheme, and transmitting each process packet segment to a network. Applicants submit that the cited references do not teach, either alone or in combination, the claimed feature of selecting an error correction scheme from among a plurality of error correction schemes to be employed for each of the packet segments in accordance with error resistance of each of the packet segments, *the error resistance being determined at least by the content of each packet segment*.

First, the Official Action acknowledges that the reference to Puri et al does not disclose an error correction method, but cites Wang et al as teaching various schemes of error detection. Moreover, the Official Action cites Elaoud et al. as an alternative to Wang et al or in addition to the combination of Puri et al and Wang et al. However, the Official Action's use of Puri et al and Wang et al. is based on the Official Action equating "network conditions" with "error resistance." Specifically, the Official Action takes the position that Wang et al. and/or Elaoud et al. disclose applying an error correction scheme based on "characteristics of the network," and then concludes that because "characteristics of the network" is equivalent to the recited "error resistance," Wang et al. and/or Elaoud et al. teach selecting an error scheme based on error resistance. Applicants have now amended Claims 1 and 14 to recite that the error resistance is determined by the content of each packet segment to clarify that the recited error resistance is not equivalent to "characteristics of the network."

Appl. No. 09/389,469  
In Reply to Office Action dated August 6, 2003

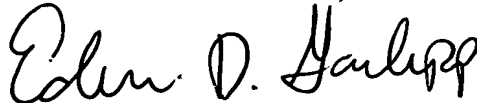
None of the cited references disclose an error resistance of packet segments being determined at least by the content of the packet segment. Therefore, the cited references do not teach, either alone or in combination, the claimed feature of selecting an error correction scheme from among a plurality of error correction schemes to be employed for each of the packet segments in accordance with error resistance of each of the packet segments, the error resistance being determined by the content of each packet segment, as now recited in Claims 1 and 14.

As independent Claims 1 and 14 as amended patentably define over the cited references as discussed above, the remaining claims pending in the present application also patentably define over the cited references as these remaining claims depend from independent Claims 1, and 14.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 25,599  
Edwin D. Garlepp  
Registration No. 45,330

**CUSTOMER NUMBER:**  
**22850**

(703) 413-3000  
Fax #: (703)413-2220  
EHK:EDG:eac  
I:\atty\edg\0039-Toshiba\00397324.amd3.wpd